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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,006	04/08/2004	Geoffrey Staines	17443	9318
23389	7590	11/13/2006	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC			RUTLAND WALLIS, MICHAEL	
400 GARDEN CITY PLAZA			ART UNIT	PAPER NUMBER
SUITE 300				
GARDEN CITY, NY 11530			2835	

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/821,006	STAINES ET AL.	
	Examiner	Art Unit	
	Michael Rutland-Wallis	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 April 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/9/04 6/1/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the disc-shaped configuration of the bus bars claims in claims 5-7 must be shown or the feature canceled from the claims. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-7 are objected to for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the single-pole interconnection" and "the connecting points" in line 4, 5 and 7. There is insufficient antecedent basis for these limitations in the claim.

Further in claim 1 the limitation "the single-pole interconnection" is unclear in the claims as Applicant describes a "a common pole bus bar", it therefore suggested to Applicant to amend the limitation from "the single-pole interconnection" to "a common pole bus bar" based on Applicant's disclosure.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al. (U.S. Pat. No. 5,412,254) in view of Croson (U.S. Pat. No. 3,748,528)

With respect to claim 1 Robinson teaches high voltage pulse generator (Fig.1) with a charge storage means (item 12) and an untriggered discharge spark gap (item 27) connected in series therewith, characterized in that a plurality (seen in Fig. 1) of such series circuits of said charge storage means and said spark gap are connected in parallel with each other, with the connection of an antenna (not shown see col. 3 line 25) to the single-pole interconnection (single pole connection to power source item 1) of the charge storage means and the connection of charging resistors (the resistance formed by the coaxial cable item 7 to charged the storage means) to the connecting points between the charge storage means which are associated with the discharge spark gaps thereof. Robinson is silent to disclose the antenna (not shown see col. 3 line 25) is used in the generation of microwaves. Croson teaches the connection of high power microwave generator (Fig.1) in connection with charging circuitry (item 47) to a high voltage source (item 46) to supply power to a microwave generation system. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the high voltage source disclosed in Robinson to output to a microwave antenna in order to generate a high voltage pulse to produce power the microwave generation system.

With respect to claim 2 Robinson as modified by Croson teaches a series inductor (inductance of transmission line item 30 alternatively inductance of attached antenna) is connected in the common discharge circuit of all charge storage means

between the end of the charge storage means which is remote from the spark gap and the end of the spark gap, which is remote from the charge storage means

With respect to claim 3 Robinson as modified by Croson teaches the charge storage means are connected in single-pole mode to a common pole bus bar (bus connected to supply item 1), the spark gaps are connected in single-pole mode to an antenna, while not shown would be obvious to connect to a ground in order to induce current flow to the load and protect the load by properly grounding the load. Robinson further teaches the use of a charging bus through the use of a transformer arrangement (item 4).

With respect to claim 4 Robinson as modified by Croson teaches the charging resistors (formed with the resistance of the coaxial cable item 7) are jointly connectable in single-pole mode to a high voltage generator (item 1).

With respect to claim 5 Robinson as modified by Croson schematically depict the bus bars and connection and describe connections such as a cylindrical shaped coaxial cable, the construction of a disc shape bus would have been obvious to one of ordinary skill in the art at time of the invention to make a connection or bus in any suitable shape in order to meet spatial or conductive system specifications.

With respect to claim 6 Croson teaches the antenna is connected to the bus bar by way of a ducting means (shown in Fig. 1 of Croson).

With respect to claim 7 Robinson as modified by Croson teaches charging resistors which are arranged colinearly with the charge storage means and the spark gaps thereof and which are connected to the charging bus bar are connected through

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holes (item 24) in the bus to the connecting points of the charge storage means associated therewith to the spark gaps.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burkhart et al. (U.S. Pat. No. 6,066,901) teaches a device similar to Applicant's claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MRW


ANATOLY VORTMAN
PRIMARY EXAMINER